

# Discipline and Welfare in the Mid-Seventeenth Century Scots Parish

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Ecclesiastical discipline and welfare are examined here in three Fife parishes each of which may be regarded as representing a particular type and also its geographical position in the county.<sup>1</sup> Ceres, lying to the south of Cupar and roughly central in the region, included a burgh of barony and had the nationally prestigious Hopes of Craighall as residents: a great deal of territorial acquisition and consolidation of the barony of Craighall, typical of lawyer-landowners, was in fact carried out by the Lord Advocate Sir Thomas Hope<sup>2</sup> who died there in October 1646.<sup>3</sup> Dunbog, in the upland northern part of the region and very much a rural parish lacking any form of urban settlement, had members of the Bethunes of Balfour as local heritors.<sup>4</sup> Auchtermuchty, however, contained a royal burgh (although a nonfunctioning one):<sup>5</sup> the Privy Council records for the period suggest the possibility that the community there could be volatile, making the investigation of its relationship with the church or civil courts both fruitful and revealing.<sup>6</sup>

Discipline and its administration were in the first instance the responsibility of the kirk session where cases began and where the great majority were settled. The Scots Confession of 1560 expected to see "ecclesiastical discipline uprightly administered as God's word prescribes, whereby vice is repressed and virtue nourished",<sup>7</sup> and the local sessions had their part to play in this—a function of inestimable importance in the life and

<sup>1</sup> The main sources for the study were Ceres Kirk Session Minutes, 1644-1679 (2 vols.), Dunbog Kirk Session Minutes, 1666-1679, and Auchtermuchty Kirk Session Minutes, 1648-1658, all held in the Scottish Record Office.

<sup>2</sup> *Reg. Mag. Sig.* (1620) No. 2111; *ibid.* (1623), No. 463; *ibid.* (1623), No. 810; *ibid.* (1635), No. 315.

<sup>3</sup> George W. T. Omund, *The Lord Advocates of Scotland* (Edinburgh, 1883), i, 93-145.

<sup>4</sup> The Laird of Balfour referred to here was probably James Bethune, son of John Bethune and Catherine Haliburton of Pitcur; see W. Wood, *The East Neuk of Fife* (Edinburgh, 1862), App. xxiii, and J. A. Weisse, *A History of the Bethune Family* (New York, 1884).

<sup>5</sup> Adolphus Ballard, "The Theory of the Scottish Burgh" in *Scot. Hist. Rev.*, xiii (1913), 28, 29.

<sup>6</sup> *Register of the Privy Council*, iv, 335-6, contains an incident involving "the haill inhabitantis" of Auchtermuchty and Sir David Murray of Gospertie.

<sup>7</sup> John Knox, *The History of the Reformation of Religion in Scotland*, ed. Cuthbert Lennox (London, 1905), App. 1, Sect. 18, 354.

practice of the reformed church of Scotland; as Foster has recently confirmed, the session was "one of the most enduring features of the Scottish Reformation, and its administration was retained by the church throughout the seventeenth century".<sup>8</sup>

Indeed, there is generally discernible in the work of the three sessions dealt with here—and in Ceres, in particular, in the thirty-five-year span of its minutes from 1644 to 1679—a firm realisation and development of the Knoxian concept of the elder "judging and discerning causes, the giving of admonition to the licentious liver and in having respect to the manners and conversation of all men within their charge".<sup>9</sup>

The disciplinary work of the sessions is impressive for its wide encompassing nature and its concern with the many significant problems fundamental to personal and social relationships. The sessions prove not to be petty nor vindictive nor unduly inquisitorial, and do little to substantiate the curious claim made by Edward Pinnington at the beginning of this century that their minutes contain "convincing evidence that graver, more corroding sins were begotten of the methods devised by the kirk to suppress sin".<sup>10</sup> Their interpretation of discipline was aimed rather at correction and reconciliation and it was not their intention, nor that of any other court in the hierarchy for that matter, to ostracise—but, wherever possible, to receive the penitent who had been made sensible of his or her error.<sup>11</sup>

Important in the actual application of sessional discipline, however, is the social status of those appearing, for this is virtually constant within a given group. Although it is not always possible to identify this grouping with complete certainty, it comprises by and large the lower ranks of society—the passing trooper, the gardener, the "servitor", numbers of nondescript women. Disciplinary procedure tended therefore to be exercised downwards, if we made allowance for cases in Auchtermuchty where the elders themselves defaulted and matters were frequently referred to the presbytery then back to the session; otherwise, the latter very rarely dealt with its peers, more often with its social inferiors. Thus, as far as discipline at session level is concerned, the seventh head of the Book of Discipline

<sup>8</sup> W. R. Foster, *The Church before the Covenants* (Edinburgh, 1975), 71.

<sup>9</sup> J. K. Cameron (ed.), *The First Book of Discipline* (Edinburgh, 1972), 175-6. This concept has its more immediate origins in "The Order of the Old Discipline of the English Church at Frankfurt" where Knox was a minister from 1554 to 1555, where the elders were to be "Censors, overseers of manners and disorders . . . and that all corrections and exercises of Discipline were to be done with their common counsel". (I. M. Clark, *History of Church Discipline in Scotland* (Aberdeen, 1929), 64).

<sup>10</sup> Edward Pinnington, "Glimpses of Old Scots Parish Life", *Scot. Hist. Rev.*, iv (1907), 63-72.

<sup>11</sup> *First Book of Discipline*, 168.

was disregarded<sup>12</sup> and the General Assembly statement in 1573 that “great men offending in sick crymes as deserve sackcloath should receive the samein als weill as the poore ”<sup>13</sup> was not put into practice. Men like Sir James Scott of Tarvit, Sir George Morrison of Dairsie, Sir Robert Crichton of Falkland who had all been involved in the Engagement were disciplined by the local presbytery;<sup>14</sup> and while the seventeenth-century diarist, John Lamont could observe that Lord Lindores was “noted for his whoredom”, that Mr John Schevez, laird of Kemback, “was said by some to be a great whoremaster” and that Sir George Morrison of Dairsie could depart to Edinburgh with his “servant woman with whom he was too familiar”, their respective sessions did nothing about them.<sup>15</sup> The sins of fornication might be blatantly committed by the gentry, but it was predominantly among the lower social groups that these were punishable offences, along with cursing, swearing and Sabbath-breaking.

Discipline derived its authority from the whole church, but its efficiency on the ground depended on the session; and a session’s ability to exercise this discipline within the community it served was largely dependent on a tacitly subtle interplay of initiatives which were undertaken by the minister and a number of energetic elders who made the original delations around which the processes developed. We see this particularly in Ceres and Dunbog where the forceful personalities of the ministers are much in evidence, less so in Auchtermuchty. In the former there was positive encouragement and cooperation given to their ministers by a number of elders, whereas in Auchtermuchty internal disputes militated against such cooperation and there discipline had an introspective, self-questioning quality which weakened the session’s authority in dealing with others.

In all three parishes discipline was subject to a variable influence linked to the lengths of service by the elders. Since we are dealing here in different time-spans of sessional activity—thirty-five years for Ceres (1644-79), thirteen for Dunbog (1666-79) and ten for Auchtermuchty (1648-58)—it is not altogether unexpected that a certain fluctuation of behaviour and standards is discernible. In Ceres the minister, Mr William Row,<sup>16</sup> was no passive moderator of the session but an enthusiastic, hortative man, as eager for his congregation to participate in national events as he was diligent in the pursuit of offenders and charitable in his concern for those in need. During his tenure the

<sup>12</sup> *Ibid.*, 173.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Selections from the Minutes of the Presbyteries of St Andrews and Cupar, 1641-1698* (Abbotsford Club, 1837), 141, 151.

<sup>15</sup> *The Chronicle of Fife: being the Diary of J. Lamont of Newton from 1649 to 1672*, 9, 94, 98.

<sup>16</sup> Hew Scott, *Fasti*, v, 131; see also Lamont’s *Diary*, 60.

session was resolutely guided and moulded by a man confident in his abilities, disciplined in mind and will, with an intimate knowledge of contemporary and local problems. His persistent qualities are clearly seen in 1662-1665 when church courts were discharged from meeting until permission was given by the episcopal authority. Mr Row complied, but as an alternative to using the court as a vehicle for dealing with offenders he openly rebuked them from the pulpit, stating with a fine sense of justice that those who had sinned openly would be openly rebuked, promptly proceeding to do so to a couple guilty of fornication.<sup>17</sup> A few months later he dealt with the "most wild and abominable scandall" of adultery in the same way.<sup>18</sup> That he got the culprits to appear in sackcloth on the stool of repentance is significant in two respects: it testifies at one level to the deep influence Row had, stemming from his authority as a minister; at another level it serves to underline the importance of the personality of the minister in the general functioning of a session. Similarly, Mr Alexander Auchinleck of Dunbog<sup>19</sup> showed a firm directing hand in guiding his elders calmly and efficiently in their duties, putting a notable emphasis on the welfare rather than the disciplinary aspect of the session's activities. In Auchtermuchty, however, it is the elders who emerge as the dominant force. The minister, Mr James Martin,<sup>20</sup> had the impossible task of trying to hold a balance between extreme opinions and intense personal animosities; and the open contempt in which he was held by a number of elders stimulated what Dr Hay Fleming described as "the wild fiery spirits ever ready for a fracas or outrage"<sup>21</sup> and made it frequently difficult for sessional discipline to be applied to defaulters.

Each of the three sessions was well supplied with elders. Of the eighteen in Ceres, three are identifiable with major land holdings in the region<sup>22</sup> and the others who had bounds assigned to them are identifiable with ferm-touns. There were ten elders in Dunbog, including two tenants of the Bethunes of Balfour. In Auchtermuchty there were nineteen, of whom three were minor lairds,<sup>23</sup> and two were portioners;<sup>24</sup> of the others, only one is

<sup>17</sup> Ceres Minutes, 25 Jan. 1663.

<sup>18</sup> *Ibid.*, 30 May 1663.

<sup>19</sup> *Fasti*, v. 151.

<sup>20</sup> *Ibid.*, 126.

<sup>21</sup> D. Hay Fleming (ed.), *St Andrews Kirk Session Register, 1582-1600* (Edinburgh, 1889), ii, p. cii.

<sup>22</sup> Sir James Scot of Scotstarvit, the Earl of Crawford-Lindsay and various members of the Hope family of Craighall.

<sup>23</sup> John Leslie of Myres, John Monereiff of Corshills and George Moncraff of Reidie.

<sup>24</sup> The portioners, of whom there were at least thirty in Auchtermuchty parish alone and who were not of baronial or peerage status, held land directly from the Crown: see *Reg. Mag. Sig.* (1616) No. 1397; *ibid.* (1631) 1702.

identifiable as a burgess, but it may be assumed that they were evenly drawn from the mercantile or craft element in the town and from the ferm-touns within the parish. Dr W. Makey has shown in his investigation of the elders of Stow, Liberton, Canongate and St Cuthbert's, that they were recruited from the ranks of the village craftsmen, working farmers, tenants and small proprietors.<sup>23</sup> A similar pattern existed in these Fife parishes, with the exception that in Ceres and Auchtermuchty the lairds did not tend to hold aloof from involvement in parochial affairs.<sup>24</sup>

The Melvillian concept of the elder as holding the office for life<sup>25</sup> may not have been as clearly adhered to as was envisaged, but a substantial number of examples indicate service of long periods that are tantamount to a partial *de facto* realisation of the concept and need not be necessarily interpreted as being dictated by expediency or the limited availability of suitable people for eldership.<sup>26</sup> In the pursuit of their duties the elders seem to have been as consistently diligent as one might readily expect: for example, searching was carried out by them but was sporadic—restricted to the toun settlements or other specified settlement areas, it was not—judging from criticisms by the Ceres minister<sup>27</sup>—particularly productive. The censoriousness of which Henry Grey Graham and more recent historians have made so much is not apparent:<sup>28</sup> within the context of the times the elders *qua* session were insistent but considerate.

In analysing the disciplinary patterns in the three parishes, we have grouped the offences into a number of main types as distinguished in the session minutes themselves. In a number of instances, of course, the distinction between certain offences is not always entirely clear: thus, drinking on a Sunday, for example, could bring a charge of Sabbath-breaking or might develop into a subsequent charge of cursing and swearing. In Ceres from 1644 to 1653 the predominant types of case brought before the session were, in order of frequency: fornication, 28; Sabbath-breaking, 19; drunkenness, 11; "flyting and scolding", 10; cursing and swearing, 3; blaspheming, 2. From 1654 to 1662 this pattern changed in respect of the number of fornication

<sup>23</sup> W. H. Makey, "The Elders of Stow, Liberton, Canongate and St Cuthbert's in the Mid Seventeenth Century", *Records of the Scottish Church History Society*, xvii.

<sup>24</sup> In Auchtermuchty the Leslies and Moncreiffs were not only active in the session but also took their turn at collecting at the church door.

<sup>25</sup> *The Second Book of Discipline*, vi, 2: see also Clark, *History of Church Discipline*, 116-17.

<sup>26</sup> Makey, "Elders", 157.

<sup>27</sup> Ceres Minutes, 9 July 1648.

<sup>28</sup> H. G. Graham, *Social Life of Scotland in the Eighteenth Century* (London, 1901), 270; T. C. Smout, *A History of the Scottish People 1560-1830* (London, 1972), 79—with which the Ceres Minutes for 18 and 25 May 1656 should be compared.

cases: these diminished after 1655, the last peak year with five delations, never again exceeding two per year. Most other misdemeanours also showed a marked tendency to decrease after 1655, only cursing and swearing showing a rise—to four cases—in 1656.

The range of offences was naturally wider than these main groups, and included cases of: two women dressing as men; playing in the churchyard; playing in the "barnyards of Ceres" during times of sermon; and two boys being warned by the session for listening at the window while their meeting was in progress.<sup>31</sup> In the 1651-53 period what is referred to as the "general stir among the people" caused by the Cromwellian advance seems to have diverted attention from disciplinary matters although this in no way interrupted the session's procedures: only two fornication cases were delated in these three years, two cases of cursing and swearing, three of "flyting and scolding", but some variety was added in cases involving soldiers who were quartered in the locality.<sup>32</sup> From 1644 to 1662, then, a nineteen-year period, 42 fornication cases, 41 instances of Sabbath-breaking, 20 of drunkenness, 15 of "flyting and scolding" and 14 of cursing and swearing were brought before the session. In the years from 1667 until 1679—including a five-year hiatus in the records after 1662—these numbers altered significantly: only 24 fornication cases, one instance of slander, 2 of drunkenness and one of "flyting and scolding" were delated. Was this radical change a reflection of the deposition of Mr Row, preceded by the break in the established disciplinary pattern initially imposed at a national level,<sup>33</sup> and the mark of a fundamental blow to the efficiency of a session confident in its procedural strength? Row's successor, Mr Alexander Leslie, was in a sense a man with a broken inheritance: for example, in the session itself the number of elders had dropped and new men had to be brought in.<sup>34</sup>

Two distinct periods, then, emerge from the Ceres minutes. The first is characterised by a heavy concentration on detailed information about disciplinary procedures over a whole spectrum of offences, including cases that ultimately fell within the jurisdiction of the civil courts and portray a session which was manifestly conscientious and eager to register and effect its decisions (which it did rigorously and fairly with no hint of vindictiveness) and which had little difficulty in getting offenders to compear, repent and, when stipulated, to pay their fines. Sessional discipline was here observing the Westminster Confession of Faith, approved by the General Assembly in 1647 and

<sup>31</sup> Ceres Minutes, 6 Feb. 1659, 21 Mar. 1658, 15 Feb. and 1 Nov. 1654.

<sup>32</sup> *Ibid.*, 19 Feb., 9 Mar. 1651.

<sup>33</sup> *Acts of the Parliaments of Scotland*, vii, 372-4; also Ceres Minutes, 8 Jan. 1662.

<sup>34</sup> But this did not take place until 1671—Ceres Minutes, 7 May 1671.

1648, which advocated a much stricter use of church censures: among the "Ecclesiastick Remedies against Prophanesse" there is the requirement that ". . . those who have fallen in fornication make public profession of repentance three several Sabbaths: who is guilty of relapse in fornication, six Sabbaths; who is guilty of trelapse, or hath fallen once in adultery, twenty-six Sabbaths. . . ." <sup>35</sup> This was the general framework within which the Ceres Session operated. Although meant to be a rigid system, it was inevitably subject to local considerations.

In the second period, after 1667, while the severity of the sentences imposed was not mitigated, the procedure of the session was different—characterised by a new brevity in recording which, when considered in conjunction with the dramatic drop in the actual number of delations, suggests that the new minister and his reconstituted session were treading warily.

Disciplinary cases in the parish of Dunbog in the years from 1666 to 1679 were infrequent. Only fifteen offences were brought before the church court and, since eleven of these related to fornication, there is a certain monotony in the session's methods of dealing with the offenders. Here again the policy was to get the parties to compear, confess and repent — with a typical sojourn on the stool of repentance being six Sundays. The small number of disciplinary cases cannot be explained away in terms of a lack of vigilance, confidence or enthusiasm on the session's part. The ways in which the confrontations with offenders are handled, the time involved in getting them to compear, the smoothness of the procedure—sentences passed and fines imposed—in no way suggest an inefficient or over-lenient body at work, but one continuing and perpetuating a disciplinary rhythm established at an earlier period and carried on with assurance. Perhaps this situation was itself a reflection of a remarkably stable community served by elders whose censoriousness had been tempered with a sense of reality and charity—illustrated in the case of a woman who had been found guilty of fornication, but whose sentence read: ". . . as she was unweill and could not enter the stool she is to do so the next Lords day if her health did permit her".<sup>36</sup> It was a community that seemed to err only within the ambit of the sins of fornication, the occasional bell-ringing and adultery, in which cases of Sabbath-breaking, drunkenness, "flyting and scolding" and other misdemeanours considered prejudicial to the church's authority simply did not occur—where we might judge literally the entry in the minutes for June 1675: "Qlk day the minister asked the elders if yr was any disorder knownen in the parish but yr was none knownen."

<sup>35</sup> *Acts of the General Assembly of the Church of Scotland, 1638-1842* (Edinburgh, 1843); 1648, Sess. 38, 5.

<sup>36</sup> Dunbog Minutes, 31 Mar. 1678.

In contrast, the Auchtermuchty minutes show a session whose authority and credibility were in constant jeopardy of being undermined by internal unrest, strife and bickering amongst the elders themselves, resulting in frequent indecision on matters of discipline and requiring a recurring reference to the presbytery of cases that might initially have been resolved at the parish level. The opening entries serve to introduce the type of conduct that was to affect both its composition and operation. At a meeting of the presbytery in Cupar on 19th April 1649 a complaint had been lodged by some elders that three of the session were "given to drunkenness and scandalous behaviour", and within the year a number of elders were ousted and new ones admitted. The new intake, however, did nothing to stabilise or placate the tense and often hostile emotions within the session; nor did it help the ability of the court to deal with and control discipline within the parish. A typical case<sup>37</sup> of the defiance of the session is that of James Sibbald, delated for carrying a load of meal from the mill to his house on Communion day: he appeared before the session, but while he was removed pending sentence, three elders reported that he had "most dispitefullie reproached them and the whole session saying I defy the minister and you and all you session and all that ze can do . . . I cair not for you".<sup>38</sup> Construing this is a slur on itself, the session referred Sibbald to the presbytery and he "depairted the session in a werrie disdainful way muttering wordis quhilkis could not be heard".<sup>39</sup>

Neither the Ceres nor Dunbog sessions suffered the overt dislike shown by a group of Auchtermuchty elders towards the minister.<sup>40</sup> The minutes are riddled with accusations and counter-accusations involving drinking, tippling, negligence and even the threat of silence money.<sup>41</sup> Internal friction exposed the Auchtermuchty session to the blatant defiance of its ordinances. Elders found themselves openly, and sometimes obscenely, threatened in the street by women: to one a woman said "it is my morning labour to curse you and your family ze are a scourger of the poor and a harrier of the poor";<sup>42</sup> and another, delated for slander, stated that "ze may do as ze please but the repentance stool I will never come on it".<sup>43</sup>

While there is little doubt that the challenge to the session's authority was a very real one, it is notable that this challenge emanated from a certain social group in the parish. Out of a total

<sup>37</sup> Auchtermuchty Minutes 29 July 1649.

<sup>38</sup> *Ibid.*, 12 Aug. 1649.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, 27 June 1658.

<sup>41</sup> *Ibid.*, 24 Dec. 1654.

<sup>42</sup> *Ibid.*, 30 July 1654.

<sup>43</sup> Auchtermuchty Minutes, 13 July 1651.

of ninety-five offences in the decade from 1648 to 1658, sixty-four were committed by twenty individuals. Thirty-five of the cases were for drinking on the Sabbath, twenty for flyting and scolding, the remainder evenly distributed among fornication, non-church-going, and cursing and swearing. The minutes show a recurrence of the same names of offenders and witnesses, and the witness-evidence includes an unusual expression of vigorous, forthright utterances intermixed with elements of bold defiance and disregard for the session's injunctions. There is every appearance in Auchtermuchty, then, of the existence of a tight nexus of persistent offenders whose activities remained relatively uninfluenced by the strictures of the session and who cause trouble disproportionately to their number.

But we have been studying the kirk session narrowly, as a disciplinary body, and this distorts the picture of the society it serves. It had essential and important welfare functions—such as the care of the poor within the parish.<sup>44</sup> In Ceres the source of money for poor relief was the weekly collection, occasionally supplemented by fines paid to the session. The session distributed regularly to its constant poor over lengthy periods but, in addition, while always conscious of the "stubborne and idle beggars", widened the group of recipients—and in so doing frequently reflected events at the national level. Thus, sums were given during 1644 to a number of distressed people from Ireland, for a winding sheet to a Ceres woman killed while fleeing from Montrose's forces at Perth with "two young babie"<sup>45</sup> who were thereafter both cared for by the session; money was also paid to a number of local women who quartered soldiers. In compliance with the 1649 Act<sup>46</sup> and working through the presbytery, which sought to shape a "common course" on the matter of dealing with the poor, the session compiled a comprehensive list of those in need in Ceres, collated broadly according to the areas or bounds represented by the elders.

By the late 1650s the method of distribution to the Ceres poor had altered—the weekly payments gave way to the granting of lump sums in October/November: nine got payments ranging from 13s. 4d. to £5 in October 1658, eleven in 1661, seventeen in 1663. Presumably aimed at providing a lump sum before the onset of winter, this system continued into the 1670s and 80s: however, it was not inflexible and could be adapted to suit special exigencies, such as happened in July 1675 when "the victuall being this year verie dear and poor ones in great distress for want of bread the minister and session resolves to make some

<sup>44</sup> Foster, *Church before the Covenants*, 80-1; *First Book of Discipline*, 112-13.

<sup>45</sup> Ceres Minutes, 1 Dec. 1644.

<sup>46</sup> *Acts of Parliaments of Scotland*, vi, 11, 22c.

distributione to ze poor of the paroch from ze box". Sums also went to a variety of charitable purposes other than the strictly poor: payments of between £4 and £6 went to the "bursar of the Presbyterie in the New College" at St Andrews (implementing the General Assembly act that every presbytery of twelve churches should provide a bursar every year at a college with at least £100<sup>47</sup>) and in 1653 an act of the Synod of Fife was carried out by the session, paying 40s. to maintain a blind boy, a Peter Kenedy, at St Andrews University; two years earlier 44s. was paid to keep "ane hiland boy at the schoole in St Andrews".<sup>48</sup> Collections taken at times of Holy Communion swelled the Ceres funds and helped to offset the constant drain on its resources by the injection of sums in the region of £30 to £50.

The following tabulation of the collections and distributions by the Ceres session shows the effect on collections of Communion Sundays (e.g. October 1647) and of dearths (e.g. the plague of June 1647):<sup>49</sup>

	1646			1647		
	Collect.	Distrib.		Collect.	Distrib.	
Jan.	£10 0 6	£12 13 0		£4 7 6	£6 12 0	
Feb.	11 9 8	3 7 4		2 19 8	6 14 0	
Mar.	18 8 4	13 2 4		4 6 4	6 13 2	
Apr.	14 6 8	7 19 4		16 9 10	15 8 2	
May	11 18 8	2 2 0		5 0 0	5 2 0	
June	4 10 8	8 13 4		3 8 8	13 8 0	
July	6 12 10	1 0 0		5 8 0	12 4 8	
Aug.	5 16 8	6 3 4		5 8 6	3 3 7	
Sept.	5 4 10	6 6 0		2 6 0	1 12 0	
Oct.	4 3 0	5 6 0		54 17 8	5 7 0	
Nov.	4 0 8	7 8 8		4 0 10	7 8 0	
Dec.	3 5 10	4 6 0		3 17 4	3 15 4	
Total	£99 18 4	£78 7 4		£112 10 4	£87 7 11	

In all three parishes the poor's money frequently had to be used for other purposes. In Ceres the schoolmaster had complained that the schoolhouse "was altogether ruinous being underproped in several pairs" and that he lived in it "under great hazard to himself and his scoolers";<sup>50</sup> the session, unable to obtain satisfaction from the heritors, arranged to hire a house for him at £10 per year. In Dunbog money was paid at intervals out of the poor box towards the schoolmaster's salary as he had

<sup>47</sup> *Acts of the General Assembly*: 1645, Sess. 14, 119.

<sup>48</sup> Ceres Minutes, 5 Mar. 1651.

<sup>49</sup> In 1647, 30 May, 6 and 13 June, no collection was taken because of "suspicioun of the infection of the plague"; in Oct. 1647 £45 10s. 6d. was collected at two celebrations of Holy Communion.

<sup>50</sup> *Ibid.*, 19 Feb. 1651.

complained of its "ill payment".<sup>51</sup> Money from the sessions' poor boxes was also diverted to finance work on church buildings, all of which were undergoing extensive repairs at this time.

In providing for the poor in Dunbog, the session distributed from two sources: the weekly collections, and the yearly interest payable to them on a thousand merks which had been loaned at some earlier date to the laird of Balfour—and which needed constant pressure from the session, notably the minister, for its extraction.<sup>52</sup> In Dunbog, although their effects were in all probability short-lived, comparatively large sums were paid out to the parish poor. In June 1675 the laird of Balfour paid up £83 6s. 8d., of which £33 6s. 8d. was given to the poor and the remainder put in the box: six people received sums of between £1 to £6 7s. 8d. while the beadle got £6 10s. "for his fie and partly be reason of his poverty".<sup>53</sup> The second source, the weekly collections, provided a steadier and more reliable cash flow to the session which tried to cope with particular but fluctuating individual or group needs at any given point as well as to maintain a more systematic sustenance on an approximate weekly, monthly or longer basis.

The pattern of givings was much the same as for Ceres—for example, in 1675 the total collections came to £144 16s. 8d. (of which £83 6s. 8d. was interest on the Balfour loan) and disbursements totalled £113 16s. 4d.; in 1676 the weekly collections were on average somewhat higher—£36 8s. 4d. taken in the year, with £7 17s. 6d. of that from a Communion and including no interest payments, while the disbursements which totalled £43 0s. 2d. kept pace more or less with the income for the year. Those who benefited, in addition to the regular poor, were the lame, the blind, the "broken merchant", the "blue gown", two poor "sojers", an old minister and a poor schoolmaster, as well as poor scholars who had their quarterly fees paid by the session. Dunbog paid its share towards the special collections which the presbytery authorized; indeed, on these occasions the minister urged the "pepil to be more liberall than at other times".<sup>54</sup> The parish contributed 40s. to "ane pollonian minister",<sup>55</sup> and 47s. towards a relief fund for a serious fire in Cupar (when the contributions did not match the minister's expectations of generosity and the session added 13s. from the box).<sup>56</sup>

In Dunbog, despite the interest due on the Balfour loan, the amount of distributions often depended on the collections. On 17th January 1669 only 6s. remained in the box, and on 14th August

<sup>51</sup> Dunbog Minutes, 3 Apr. 1676.

<sup>52</sup> *Ibid.*, 7 Apr. 1667.

<sup>53</sup> *Ibid.*, 3 Apr. 1676.

<sup>54</sup> *Ibid.*, 13 Feb. 1670.

<sup>55</sup> *Ibid.*, 20 Feb. 1670.

<sup>56</sup> *Ibid.*, 22 May 1670.

1671 it was reported that its contents were exhausted. All that the session could do was to terminate distributions, as it had from August to December 1671. The problems facing Dunbog was aggravated by the fact that the heritors "being at a great distance did not much concern themselves" in areas of obligation,<sup>57</sup> yet the session tackled them with an energy and persistence which can only reflect credit on the minister and elders.

In Auchtermuchty the main preoccupation was with discipline and all the truculent, querulous manifestations it took in the parish but the session also attended to the usual matters of collections and distributions, payments to the presbytery bursar and occasional sums for poor scholars. In some respects, however, the Auchtermuchty session acted differently from those in Dunbog and Ceres. For example, except for money gathered at Communions, weekly collections do not appear to have been taken until March 1651 and no distributions are noted until April of the same year; nor was a seasonal distribution organised as at Ceres. Indeed only one woman and one man appear to have been regular recipients of weekly sums, in the region of 3s. to 4s. There is no reason to suppose that events occurring at the national level interrupted the collection and distribution of money. The parishioners of Auchtermuchty were aware of, but were far less involved in, the national conflicts than their counterparts in Ceres who had lost twenty-two people in an attempt to "resist Montrois and the Irish rebels in the common mure at St Johnston".<sup>58</sup> It may well be that the recording of collections and disbursements in the minute book was occluded by the detailing there of the continuing disputes within the session. The minutes for 1654 reveal a total of weekly collections of £52 4s. Od., with no extraordinary sum shown for a Communion day; in 1655 the annual total was £60 11s. 10d, with £12 taken at Communion in August. The distributions totalled £29 4s. Od. in 1654 and £70 5s. 1d. in 1655—with most disbursements made in January/February, in September and in November/December.

The rôle of Cupar Presbytery,<sup>59</sup> as an ecclesiastical court also actively concerned with discipline, is worth considering here, especially since it appears to have dealt with a distinct category of offender who, for reasons of social prestige, was not arraigned before the kirk sessions. It is revealing to compare the smooth course of presbyterial discipline in dealing with contumacious ordinary parishioners, as in the case of a Falkland man who had uttered "bloodie oathes againes God" and was found guilty of

<sup>57</sup> *Ibid.*, 5 Aug. 1671.

<sup>58</sup> Ceres Minutes, 8 Sept. 1644.

<sup>59</sup> Cupar Presbytery was in existence by 1593 and was among the forty-seven listed by Calderwood: see also W. R. Foster, "Operation of Presbyteries in Scotland, 1600-1638", *Records of the Scottish Church History Society*, xv.

"misbehaviour towards his minister",<sup>60</sup> with the difficulties encountered in confrontations with landed gentry who, from a confidence derived from their social position, were prepared to dissemble, argue and even defy the court. Sir David Sibbald of Rankeillour, for example, was called before the presbytery in December 1646 suspected of having had dealings with Montrose. Initially he contended himself with a perfunctory expression of regret. However, when ordered by the presbytery to "show his serious repentance" publicly in Monimail Church, he failed to give the required satisfaction. He did not humble himself on his knees; in fact "his expressione was suche as the commone people could not understand"; he wore pistols at his side and left the church before the blessing. When required to account for this conduct, he retorted he was "not sensible of his miscarriages".<sup>61</sup> A further request by the presbytery that he should make a declaration of repentance in another church was ignored and the case is not mentioned again. There were a number of other local notables brought before the presbytery<sup>62</sup> including a list from Cupar Session of "magistrates, councillors and gentlemen in the Parish of Cupar" who had sent men in the Engagement: they were ordered to stand up at their own seats in church and "inclinynge their body" state their disassociation from the Engagement.<sup>63</sup>

Presbyterial discipline in the 1640s had assumed a firm politico-religious emphasis and involvement. The limited success the presbytery had in dealing with figures like the Earl of Crawford or Sir George Morrison of Dairsie<sup>64</sup> has to be seen and understood primarily in terms of the composition and intended function of the court. The presbytery appears to have been a gathering of ministers<sup>65</sup> often related to one another through marriage or coming from landed families themselves.<sup>66</sup> In a religio-political context this court of ministers, which to all intents and purposes it was, was capable of getting suspect members of the gentry to compear—a considerable tribute to its authority even though this was not entirely derived from the

<sup>60</sup> *Minutes of Presbyteries*, St Andrews and Cupar, 116.

<sup>61</sup> *Ibid.*, 109.

<sup>62</sup> *Ibid.*, 151.

<sup>63</sup> *Ibid.*, 128-9.

<sup>64</sup> *Ibid.*, 111, 144, 156, 160.

<sup>65</sup> Alexander Henderson (in his *Government and Order of the Church of Scotland* [Edinburgh, 1641], 46-7), while explaining that representative elders from the individual sessions were to be chosen, emphasised the selectivity of the ministerial group when he said that "None of the ministers are permitted to be absent, unless they be detailed by necessarie impediments or extraordinarie imployments. . . . But the Elders are not so strictlie tied to ordinarie attendance".

<sup>66</sup> David Mathew, *Scotland Under Charles I* (London, 1955), 48, makes the point that members of the ministry frequently belonged to substantial landed families: and see *Fasti*, v, 123-4.

church. Its actions served to single out those active in the Engagement and, through threat of excommunication (thus implementing the 1649 General Assembly Act<sup>67</sup>) to confront them with a deprivation and isolation they did not care to experience. The presbytery faced a dilemma. Ecclesiastical policies which affected the nobility were being dictated, yet for eminently prudential reasons—e.g. their status as heritors and familial links—it simply could not afford to alienate their goodwill and support. In this situation the policy the presbytery seems to have pursued and effected was one of compromise. They would implement what was required, but local considerations largely governed what was done.

At a more mundane level, presbyterial discipline was concerned with the contumacious, the adulterers, the disciplining of ministers,<sup>68</sup> the problems caused by penny bridals, and the occasional witchcraft trial.<sup>69</sup> Its function was, not unexpectedly, an organisational one.<sup>70</sup> The presbytery operated at a distinctly different level from the sessions and, reflecting its composition, in a much less democratic way. It was a source of reference and appeal, and also a forum of highly-trained men who were able to endow it with a corporate vitality and dynamism that was to provide it with a notable stability and credibility of accomplishment during the greater part of the 1646-60 period.

Although heavily dependent on material taken from only three session court records examined in depth, this study throws up a number of points which have a wider significance. There is, for example, every indication of a high measure of autonomy encompassing both the fiscal and administrative functions. The Session's income, which was not always a simple matter of weekly collection and distribution, was firmly in its own control, with only minimal reference to or direction from any superior court. Indeed, the session was capable of independent operation in most areas of its activity, acting with an impressive smoothness even at times of national crises.

If the relationship between minister and eldership was one of mutual respect and there was general stability in the session, then it is noticeable how receptive the local community was to its injunctions. There was much mutual involvement and interdependence between the church court and the parishioners, each group showing itself firmly aware of fundamental needs and realities and not obsessed with more distant ideals.

<sup>67</sup> *Acts of General Assembly*: 1649, Sess. 19, 201-2.

<sup>68</sup> *First Book of Discipline*, 178.

<sup>69</sup> *Minutes of Presbyteries, St Andrews and Cupar*, 129, 130, 132, 136, 139, 144, 146, 147, 150.

<sup>70</sup> *Ibid.*, 119. The Presbytery of Cupar organised a collection for the "distressed people of Argyll" for which £694 was taken in 9 Mar. 1648.

Apparently free of rigid class distinction, the composition of and method of election to the eldership were, compared to other existing institutions such as the burgh court, relatively democratic and more widely socially representative. Ministers, lairds and tenants sat in judgment of offenders and in consideration of those in need of parochial care. There might be deferential respect, or lack of it, for the minister and the court, but it was based on an attitude not to the nature and social status of the individuals but rather to the corporate identity and efficiency of the session and according to the relevance of its decisions and their acceptability to the community at large.

